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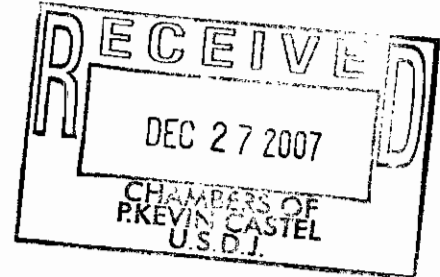
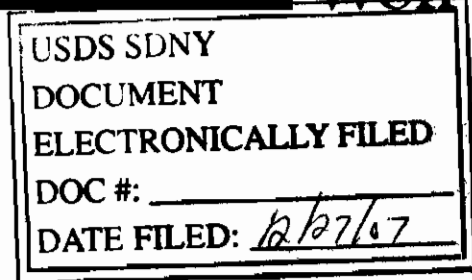
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## MEMO ENDORSED

### VIA HAND DELIVERY

Hon. P. Kevin Castel  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 2260  
New York, NY 10007

December 26, 2007



Re: Bank of New York, N.A. v. First Magnus Capital, Inc.  
07-cv-8255 (PKC)

Dear Judge Castel:

On behalf of plaintiff Bank of New York in the above action, we write to request leave to serve the enclosed Interrogatories on defendant First Magnus Capital, Inc. Enclosed for your Honor's convenience is a copy of FMC's Answer on which the Interrogatories are based.

Thank you for your consideration.

Respectfully submitted,

Kenneth G. Roberts

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

KGR:sl  
cc (by pdf): William D. Hummell, Esq.  
Christopher H. Bayley, Esq.

*A Application  
Granted -  
SO ORDERED  
U.S.D.J.  
12-27-07*

NYC:753336.1

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